

REMARKS

The office action of February 14, 2006, has been carefully considered.

It is noted that claim 1 is rejected under 35 U.S.C. 112, second paragraph.

Claims 1-5, 7 and 10-12 are rejected under 35 U.S.C. 102(b) over the patent to Echerer.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) over Echerer in view of the patent to Reber et al.

In view of the Examiner's rejections of the claims, applicant has canceled claim 7 and amended claim 1.

It is respectfully submitted that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claim 1 to recite that the sequence of video motion pictures of the patient which is shorter than the time intervals. This change removes any ambiguity which might have existed in the claim.

In view of these considerations it is respectfully submitted that the rejection of claim 1 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

The inventive system relieves the treating physician. He does not need to be present at the observation station during taking of the video motion pictures, which, for example, can be taken at intervals of one hour over more than one day. The physician can review the recorded images sequentially in a much shorter time period than was need for recording the images. Changes in the movement thus stand out more than by observing the patient for hours at a time. The invention provides, in addition to a reduction of time required to be devoted by the physician, a marked improvement in diagnosis quality.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Echerer discloses an interactive communication system for medical treatment of remotely located patients. In this system the patient has a direct consultation with the doctor except that the doctor and the patient are not at the same location. Echerer does

not disclose the presently claimed invention. In Echerer there is no savings of time for the physician.

Furthermore, Echerer does not disclose a system having devices for automatic patient identification, as in the presently claimed invention. Echerer does not disclose that the identification device, after identification, automatically activates a video camera that records a patient in a marked object field who is performing prescribed movements, over a prescribed period of time.

According to Echerer, there is a video recorder 124 located where the doctor is for recording the entire visit with the doctor for documentation purposes. There is no disclosure that the CPU 102 at the doctor end is programmed so that the records from repeated consultations of a specific patient automatically shown directly after one another.

In view of these considerations it is respectfully submitted that the rejection of claims 1-5, 7 and 10-12 under 35 U.S.C. 102(b) over the above-discussed reference is overcome and should be withdrawn.

The patent to Reber et al. discloses a medical communication apparatus. The Examiner combined Reber et al. with Echerer in determining that claims 8-9 would be unpatentable over such a combination. Applicant respectfully submits that Reber et al. adds nothing to the teachings of Echerer so as to arrive at the presently claimed invention as discussed above.

In view of these considerations it is respectfully submitted that the rejection of claims 8-9 under 35 U.S.C. 103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

BE-125

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on August 14, 2006.

By:


Klaus P. Stoffel

Date: August 14, 2006